

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:  
Cases Listed in Exhibit A

**DEFENDANTS' TWELFTH  
MOTION TO DISMISS FOR  
FAILURE TO COMPLY WITH  
PRETRIAL ORDER NO. 23, FED. R.  
CIV. P. 41(B), AND 25(A), OR FOR  
FAILURE TO PROSECUTE**

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Pursuant to Pretrial Order No. 23 and Federal Rules of Civil Procedure 25(a) and 41(b), Defendants 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively, 'Defendants') respectfully move the court to dismiss the actions listed in **Exhibit A** with prejudice for failure to comply with Pretrial Order No. 23, and Fed. R. Civ. P. 25(a) and 41(b), and to enter an Order requiring each lawyer who has entered an appearance in the MDL on behalf of a plaintiff to, within 30 days upon entry of the Order: (i) confirm that their clients are still living; (ii) if a client is deceased, either dismiss the case or comply with PTO 23; and (iii) provide a sworn statement to Defendants' counsel that they have done so.

As set forth in the accompanying Memorandum, the above-referenced matters have failed to meet the requirements of this Court's order and the federal rules and dismissal is appropriate.

Dated: December 20, 2024

Respectfully submitted,

*s/Benjamin W. Hulse*

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